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9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2007-243

13 MANUEL R. LAGMAY,
a.k.a. MANUEL RABOT LAGMAY
14 604 Menteth Point Drive
Millersville, MD 21108-1450

ACCUSATION

15 Registered Nurse License No. 406129

16 Respondent.
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18 Complainant alleges:
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20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
solely in her official capacity as the Executive Officer of the Board of Registered Nursing
22 ("Board"), Department of Consumer Affairs.

23 2. On or about October 31, 1986, the Board issued Registered Nurse License
24 Number 406129 to Manuel R. Lagmay, also known as Manuel Rabot Lagmay ("Respondent").
25 Respondent's registered nurse license was in full force and effect at all times relevant to the
26 charges brought herein and will expire on January 31, 2008, unless renewed.
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1 **COST RECOVERY**

2 7. Code section 125.3 provides, in pertinent part, that the Board may request
3 the administrative law judge to direct a licentiate found to have committed a violation or
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
5 and enforcement of the case.

6 **CAUSE FOR DISCIPLINE**

7 **(Criminal Conviction)**

8 8. Respondent is subject to disciplinary action pursuant to Code section
9 2761, subdivision (f), in that he was convicted of a crime which is substantially related to the
10 qualifications, functions, and duties of a registered nurse, as follows: On or about March 29,
11 2006, in the criminal proceeding titled *U.S.A. v. Manuel R. Lagmay, Defendant* (U.S. District
12 Court, District of Columbia, 2006, No. 06-0002), Respondent was convicted by the Court on his
13 plea of guilty to one felony count in violation of 18 U.S.C. section 371 (conspiracy). The
14 circumstances of the crime are that, from approximately July 2000 through approximately
15 December 2003, Respondent knowingly combined, conspired, confederated, and agreed, together
16 with others known and unknown, to commit health care fraud by devising a scheme and artifice
17 to defraud Howard University Hospital, and to obtain its money and property in an amount
18 exceeding \$320,000, by means of materially false and fraudulent pretenses, representations, and
19 promises, in connection with the delivery of or payment of health care benefits, items, or
20 services.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein
23 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:


24 1. Revoking or suspending Registered Nurse License Number 406129, issued
25 to Manuel R. Lagmay, also known as Manuel Rabot Lagmay;

26 2. Ordering Manuel R. Lagmay, also known as Manuel Rabot Lagmay, to
27 pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of
28 this case, pursuant to Code section 125.3; and

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3. Taking such other and further action as deemed necessary and proper.

DATED: 4/10/07


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant